dicta and the strange doubtful case of Dr. Bonham the English courts have never assumed the power of declaring a statute void because it conflicted with any provision of Magna Carta. But one passes from one surprise to another. *Judicium parium* of chapter 39 refers to trial by jury and *lex terrae* means "the law of the land" or "due process of law." This is to perpetuate an error that even Coke did not make. Probably of the whole charter no single clause is more distinctly reactionary, and in after days these words were worshipped because, as Maitland has pointed out, it was possible to misunderstand them. In brief Mr. Guthrie takes the position that in Magna Carta we have an enunciation of fundamental principles which is valuable for all time. This rests upon the assumption that there is no substantial difference between the social structure of the thirteenth century and that of today; moreover it treats law as something static instead of a growing living organism.

In the remaining nine addresses Mr. Guthrie shows to better advantage. A sturdy conservative, an able defender of the courts in the face of popular criticism, he combines unusual power of exposition with a style which even the most controversial subject cannot rob of its urbanity. He is a vigorous defender of the older conception of constitutional law; he would maintain our political institutions *in statu quo*. Naturally he attacks such innovations as the Workmen's Compensation Act, the referendum, the recall of judges, etc. With much that Mr. Guthrie says the reviewer is in sympathy but, as already indicated, he cannot accept the general point of view. If our legal system is to survive the stress of present conditions, it must be through the efforts of lawyers who combine an intelligent knowledge of the past with vision for the future. And in view of the eminence of Mr. Guthrie's position one has the greater regret that his convictions should lead him to assume the rôle of *laudator temporis acti*.

WILLARD BARBOUR.

VOTING TRUSTS: A CHAPTER IN RECENT CORPORATE HISTORY, by Harry A. Cushing, of the New York Bar, New York. The Macmillan Company, 1915; pp. 215.

This book discusses the subject of Voting Trusts under the titles of the significance of Voting Trusts, their contents, and the law relating thereto, together with forms thereof.

Under the first part there is traced a history of the subject and some of the advantages and disadvantages and the most usual terms of such trusts are pointed out.

The second part is an extensive review of the important provisions in a very large number of recent Voting Trusts, and the third part reviews in a rapid way the decisions relating to the subject, and points out the different views of the courts in reference to the policy and validity of Voting Trusts.

Mr. Cushing is unquestionably favorably inclined toward such trusts so long as their purpose is not clearly illegal; he points out wherein they have been and usually are beneficial, especially in the reorganization of corporations and the adoption of a policy that is likely to insure success through a

series of years. He, however, also notes that there have been some cases in which these desirable results have not been attained. The forms given include four complete voting trust agreements, many special provisions included in trust certificates, and the provisions for the extension and termination of such trust agreements.

This will be found of value to any one who is interested in drawing up documents for purposes of this kind, and in part II there is described the business side of the matter, as it has actually been worked out in many cases.

The book will be valuable to any lawyer who has need of information upon the legal phases of the question, and will also furnish interesting reading for the layman who is anxious to learn something of the process of control of corporations by such methods. H. L. WILGUS.

THE ADMINISTRATION OF JUSTICE IN CRIMINAL MATTERS (IN ENGLAND AND WALES), by G. Glover Alexander, M.A., LL.M. Cambridge University Press, 1915; pp. x, 235.

The preface of this small work tells us that "it is intended as a first book for newly appointed justices of the peace, superior police officers, and law students; that it is hoped that it will also appeal to a larger class of general readers who are interested in subjects bordering on the domain of law, history, politics and sociology." Hardy as that broad purpose seems, it is fairly accomplished, for, while readers other than justices, police officers, and law students, of England, will find that some of the material is not grist for their mills, the mechanical construction of the book will facilitate the process of selection.

Parts I and II deal with the judicial administration of criminal law, the organization of the courts and the procedure therein, particular attention being given to the justice of the peace. Part III deals with the relation of the executive to crime—the prerogative of mercy, extradition, police, prisons, etc. Part IV contains a discussion of some recent legislation, dealing with parole, and with special classes of offenders, children, lunatics, and habitual criminals, together with some meager statistics of crime.

It is obviously impossible to cover such a broad field as is indicated by this synopsis with any fullness of detail. Yet, in spite of this the outstanding feature of the work is its realism. To the lawyer, especially, who so seldom finds in his professional literature anything except the positive rules of law, with reasoning more or less technical and artificial in justification of the rules, it will be almost a shock to read this author's practical discussion of the actual working of the English criminal law. The following illustrates the point: "The jury have a right to return a general verdict of Guilty or Not Guilty; and that being the case, however legislators and lawyers may define and refine as to the legal distinction between murder and manslaughter, and however well an intelligent jury may appreciate the subtle differences between them, as lucidly explained by a learned judge, it always remains open to the jury so to find the facts as to bring the case under either head. Hence it has been said that murder is a crime for which a jury of twelve of his